

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA)
)
)
) Case No. 3:94CR00027
)
v.)
)
JOHNNY MACK BROWN,) FINAL ORDER
)
)
) By: James P. Jones
) United States District Judge
)
 Defendant.)

For reasons stated in the accompanying Opinion, it is **ORDERED** that:

1. Defendant's Motion for Reconsideration (ECF No. 385) is DENIED, and is also CONSTRUED as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255;
2. The Clerk is DIRECTED to redocket the defendant's pro se motion (ECF No. 385) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255, for administrative reasons;
3. The § 2255 motion is hereby DENIED without prejudice as successive and is stricken from the active docket of the court; and
4. A Certificate of Appealability is DENIED, based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right.

ENTER: October 2, 2013

/s/ James P. Jones

United States District Judge